

IFW

PTO/SB/21 (09-04)

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**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

9

Application Number

10/815,338

Filing Date

April 1, 2004

First Named Inventor

Morris et al.

Art Unit

3731

Examiner Name

Attorney Docket Number

7107-4CIP

ENCLOSURES (Check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input checked="" type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Request for Refund	1 Postcard
<input checked="" type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> Reply to Missing Parts/Incomplete Application	<input type="checkbox"/> Remarks	
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	AKERMAN SENTERFITT		
Signature			
Printed name	Theodore M. Green		
Date	April 14, 2005	Reg. No.	41,801

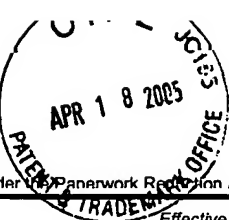
CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature			
Typed or printed name	Theodore M. Green	Date	April 14, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PTO/SB/17 (12-04)

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Effective on 12/08/2004.

Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

FEE TRANSMITTAL

For FY 2005

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$)

0.00

Complete if Known

Application Number	10/815,338
Filing Date	April 1, 2004
First Named Inventor	Morris et al.
Examiner Name	
Art Unit	3731
Attorney Docket No.	7107-4CIP

METHOD OF PAYMENT (check all that apply)☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): _____☒ Deposit Account Deposit Account Number: 50-0951 Deposit Account Name: AKERMAN SENTERFITT

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee
☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☒ Credit any overpayments

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

FEE CALCULATION**1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

2. EXCESS CLAIM FEES

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 or, for Reissues, each claim over 20 and more than in the original patent	50	25
Each independent claim over 3 or, for Reissues, each independent claim more than in the original patent	200	100
Multiple dependent claims	360	180

<u>Total Claims</u>	<u>Extra Claims</u>	<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>	<u>Multiple Dependent Claims</u>	<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>
- 20 or HP = _____ x _____ = _____						
HP = highest number of total claims paid for, if greater than 20						
<u>Indep. Claims</u>	<u>Extra Claims</u>	<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>			
- 3 or HP = _____ x _____ = _____						
HP = highest number of independent claims paid for, if greater than 3						

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

<u>Total Sheets</u>	<u>Extra Sheets</u>	<u>Number of each additional 50 or fraction thereof</u>	<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>
_____ - 100 = _____ / 50 = _____ (round up to a whole number) x _____ = _____				

4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other: _____

SUBMITTED BY

Signature		Registration No. (Attorney/Agent)	41,801	Telephone	561-653-5000
Name (Print/Type)	Theodore M. Green	Date	April 14, 2005		

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: MORRIS et al.

Examiner:

Serial No.: 10/815,338

Group No.: 3731

Filed: April 1, 2004

Title: COMPACT SUTURE PUNCH WITH MALLEABLE NEEDLE

CERTIFICATE UNDER 37 CFR 1.8(a)

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as First Class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on April 14, 2005.

Theodore M. Green

Commissioner for Patents
Post Office Box 1450
Alexandria, VA 22313-1450

Date: April 14, 2005

INFORMATION DISCLOSURE STATEMENT

Sir:

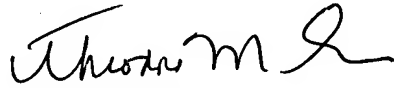
In accordance with the duty of disclosure under 37 C.F.R. §1.56, Applicants hereby notify the U.S. Patent and Trademark Office of the documents which are listed on the attached Forms PTO/SB08A which the Examiner may deem relevant to patentability of the claims of the above-identified application. This paper is submitted pursuant to 37 CFR 1.98(d)(1).

This application is a continuation of application number 10/165,468. Pursuant to 37 CFR §1.98(d)(1), no copies are enclosed of references listed on the accompanying Forms PTO/SB08A which are of record in the underlying application, from which the instant application claims priority. However, should the Examiner need copies of any reference, he may request the copy or copies by telephoning the undersigned attorney and the requested references will be delivered to the Examiner as soon as practicable.

This Information Disclosure Statement is being filed before the issuance of a first office action on the merits of the application (37 C.F.R. 1.97(b)(3)); therefore, no fee is believed to be due. However, if any fee is due, the Commissioner is authorized to charge any such fee and any additional fees due or credit any overpayment to Deposit Account No. 50-0951.

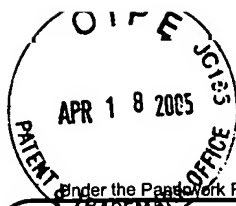
Respectfully submitted,

Date: April 14, 2005

A handwritten signature in cursive script, appearing to read "Theodore M. Green", written over a horizontal line.

Theodore M. Green
Registration No. 41,801
222 Lakeview Avenue, Suite 400
West Palm Beach, FL 33401
(561) 653-5000

Docket No. 7107-4CIP



PTO/SB/08A (08-03)

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**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet

1

of

5

Complete if Known

Application Number	10/815,338
Filing Date	April 1, 2004
First Named Inventor	MORRIS et al.
Art Unit	3731
Examiner Name	
Attorney Docket Number	7107-4CIP

U. S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
		US- 4,923,461	05/08/1990	Caspari et al.	
		US- 4,957,498	09/18/1990	Caspari et al.	
		US- 5,234,443	08/10/1993	Phan et al.	
		US- 5,254,126	10/19/1993	Filipi et al.	
		US- 5,292,327	03/08/1994	Dodd et al.	
		US- 5,397,325	03/14/1995	Della Badia et al.	
		US- 5,423,837	06/13/1995	Mericle et al.	
		US- 5,454,823	10/03/1995	Richardson et al.	
		US- 5,496,335	03/05/1996	Thomason et al.	
		US- 5,522,820	06/04/1996	Caspari et al.	
		US- 5,690,653	11/25/1997	Richardson et al.	
		US- 5,728,112	03/17/1998	Yoon	
		US- 5,755,728	05/26/1998	Maki	
		US- 5,797,927	08/25/1998	Yoon	
		US- 5,843,099	12/01/1998	Nichols et al.	
		US- 5,908,428	06/01/1999	Scirica et al.	
		US- 5,980,538	11/09/1999	Fuchs et al.	
		US- 6,024,747	02/15/2000	Kontos	
		US- 6,332,889	12/25/2001	Sancoff et al.	

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T ⁶
		Country Code ³ Number ⁴ Kind Code ⁵ (if known)				
		JP 06-063052	03/08/1994	Ikeda		
		JP 11-216145	08/10/1999	Matsutani et al.		
		EP 1,159,920 A2	12/05/2001	Green et al.		
		GB 2260704A	04/28/1993	Richardson		
		WO 99/47050	09/23/1999	Kortenbach et al.		
		WO 96/09796	04/04/1996	Gordon et al.		

Examiner
SignatureDate
Considered

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This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Complete if Known

Application Number	10/815,338
Filing Date	April 1, 2004
First Named Inventor	MORRIS et al.
Art Unit	3731
Examiner Name	
Attorney Docket Number	7107-4CIP

Sheet 2 of 5

U. S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
		US- 6,679,895	01/20/2004	Sancoff et al.	
		US- 6,723,107	04/20/2004	Skiba et al.	
		US- 2002/0128666	09/12/2002	Sancoff et al.	
		US- 2003/0078600	04/24/2003	O'Quinn et al.	
		US- 2003/0083695	05/01/2003	Morris et al.	
		US- 2003/0176874	09/18/2003	Sauer	
		US- 2003/0216756	11/20/2003	Klein et al.	
		US- 2003/0233108	12/18/2003	Gellman et al.	
		US- 2004/0249394	12/09/2004	Morris et al.	
		US- 2004/0260314	12/23/2004	Lizardi et al.	
		US- 6,770,084 B1	08/03/2004	Bain et al.	
		US- 6,599,298 B1	07/29/2003	Forster, et al.	
		US- 5,947,982	09/07/1999	Duran	
		US- 5,817,107	10/06/1998	Schaller	
		US- 5,643,292	07/01/1997	Hart	
		US- 4,836,205	06/06/1989	Barrett	
		US- 2004/0193185 A1	09/30/2004	McBrayer	
		US- 2003/0105474 A1	06/05/2003	Bonutti	
		US- 5,730,747	03/24/1998	Ek et al.	

FOREIGN PATENT DOCUMENTS

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Sheet 3

of 5

U. S. PATENT DOCUMENTS

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		Number-Kind Code ² (if known)			
		US- 2003/0065337 A1	04/03/2003	Topper et al.	
		US- 2004/0199184 A1	10/07/2004	Topper et al.	
		US- 2003/0220658 A1	11/27/2003	Hatch et al.	
		US- 3,349,772	07/22/1964	Rygg	
		US- 3,946,740	03/30/1976	Bassett	
		US- 4,164,225	08/14/1979	Johnson et al.	
		US- 5,318,577	06/07/1994	Li	
		US- 5,389,103	02/14/1995	Melzer et al.	
		US- 6,517,552 B1	02/11/2003	Nord et al.	
		US- 2002/0138084 A1	09/26/2002	Weber	
		US- 5,928,268	07/27/1999	Butwell et al.	
		US- 5,219,358	06/15/1993	Bendel et al.	
		US- 6,638,283 B2	10/28/2003	Thal	
		US- 5,665,096	09/09/1997	Yoon	
		US- 6,623,492	09/23/2003	Berube et al.	
		US- 5,925,064	07/20/1999	Meyers et al.	
		US- 3,470,875	10/07/1969	Johnson	
		US- 1,037,864	09/10/1912	Carlson et al.	
		US- 5,250,055	10/05/1993	Moore et al.	

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		Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)				

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		Number-Kind Code ² (if known)			
		US- 2003/0144674 A1	07/31/2003	Loubens et al.	
		US- 6,197,035 B1	03/06/2001	Loubens et al.	
		US- 5,931,844	08/03/1999	Thompson et al.	
		US- 6,200,329 B1	03/13/2001	Fung et al.	
		US- 5,935,149	08/10/1999	Ek	
		US- 2002/0103493 A1	08/01/2002	Thal	
		US- 6,595,911	07/22/2003	Lovuolo	
		US- 5,261,917	11/16/1993	Hasson et al.	
		US- 4,890,615	01/02/1990	Caspari et al.	
		US- 5,571,090	11/05/1996	Sherts	
		US- 5,100,421	03/31/1992	Christoudias	
		US- 5,181,919	01/26/1993	Bergman et al.	
		US- 5,257,637	11/02/1993	El Gazayerli	
		US- 4,932,961	06/12/1990	Wong et al.	
		US- 5,037,433	08/06/1991	Wilk et al.	
		US- 5,387,221	02/07/1995	Bisgaard	
		US- 5,002,563	03/26/1991	Pyka et al.	
		US- 5,607,435	03/04/1997	Schdeva et al.	
		US- 5,749,879	05/12/1998	Middleman et al.	

FOREIGN PATENT DOCUMENTS

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Application Number	10/815.338
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Filing Date	April 1, 2005
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First Named Inventor	MORRIS et al.
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Art Unit	3731
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Examiner Name

Attorney Docket Number	7107-4CIP
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Sheet	5
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U. S. PATENT DOCUMENTS

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